IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HONOURBALE SRI JUSTICE N.V.RAMANA

W.P. No. 6659 OF 2006

Dated : April 6, 2006

Between:

Kambam Ashok Kumar

Petitioner

AND

The Life Insurance Corporation of India,

Nellore Division, Rep. by its Divisional Officer,

Nellore District and two others

Respondents

THE HONOURBALE SRI JUSTICE N.V.RAMANA

W.P. No. 6659 OF 2006

ORAL ORDER:

Seeking a writ of mandamus declaring the inaction on the part of the respondents in considering the representation made by the petitioner on 27.1.2006 and also registered legal notice dated 13.2.2006, to reinstate the petitioner into service as Junior Assistant, Gudur Branch, as illegal and arbitrary, the petitioner filed this writ petition.

It is averred that the petitioner, who belongs to Lambadi caste, joined the respondent Corporation on 1.9.1998. While so, it appears, the first respondent addressed a letter to the Mandal Revenue Officer, Nellore to hold an enquiry about the caste of the petitioner and the Mandal Revenue Officer and the Revenue Divisional Officer, conducted enquiry and submitted a report to the District Collector, Nellore, 3rd respondent herein, who in turn referred the issue to District Level Scrutiny Committee, which has recommended for cancellation of social status and the 3rd respondent, cancelled the social status certificate issued by the Mandal Revenue Officer, Nellore in RC No.C5/1506/2003 dated 5.12.2005. The petitioner aggrieved of the same, preferred statutory appeal under Sec. 7(2) of the Act before the Government, which has stayed the operation of the proceedings. While so, the first respondent herein has passed the impugned order terminating the services of the petitioner. Thereafter, the petitioner made a representation on 27.1.2006, but since the respondents did not consider and pass any orders thereon, the petitioner got issued a legal notice dated 13.2.2006 to the first respondent. Since the respondent No.1 did not act even on the legal notice, the petitioner came up with the instant writ petition.

Heard the learned counsel for the petitioner and the Standing counsel for the respondents 1 and 2 and Government Pleader for Revenue for the respondents 2 and 3.

It is contended on behalf of the petitioner that since the order dated 5.12.2005 passed by the third respondent herein cancelling the social status of the petitioner was appealed against by the petitioner and the Government in Memo No.34/CV.2/2005-1 dated 23.1.2006 has stayed the operation of the said proceedings pending disposal of

the appeal filed under Sec. 7(4) of Act 16 of 1993, the request of the petitioner to reinstate him into service on the ground that the cancellation of social status of the petitioner by the 3rd respondent was stayed by the Government deserves to be considered.

As can be seen from the letter addressed by the Manager (P & IR), Divisional Office, Nellore, the representation of petitioner dated 27.1.2006, was referred to the first respondent for necessary orders. but since neither the first respondent nor the respondents 2 and 3 have passed any order, the petitioner has filed this writ petition. In view of these facts, both the counsel have agreed for disposal of the writ petition. Consequently, the first respondent is directed to consider the representation of the petitioner referred to by the Respondent – Corporation and pass appropriate orders expeditiously within a period of six weeks from the date of receipt of a copy of this order.

With this direction, the writ petition is disposed of. No order as to costs.

N.V.RAMANA, J.

April 6, 2006

MAS.